

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**IN RE:**

Robert E. Roberts  
Kimberly E. Roberts

Debtor(s)  
\_\_\_\_\_ /

**CHAPTER 13**

**CASE NO. 11-50331-SWR**

**JUDGE STEVEN W. RHODES**

**DEBTOR'S OBJECTION TO THE PROOF OF CLAIM #17  
OF CHRISTIAN FINANCIAL CREDIT UNION**

NOW COMES Debtor(s), by and through attorney, CARR & ASSOCIATES and for the objection states as follows:

1. The Proof of Claim #17 of Christian Financial Credit Union was filed on May 27, 2011 in the amount of \$8,418.34.
2. Debtor(s) deny that any property exists for Christian Financial Credit Union to secure the debt.
3. Attached as Exhibit A is the proposed Order Granting Debtors Objection to the Proof of Claim #17 of Christian Financial Credit Union in the amount of \$8,418.34.

WHEREFORE, Debtors pray that this Honorable Court disallow the secured Proof of Claim #17 of Christian Financial Credit Union in the amount of \$8,418.34 and grant any further and other relief as this Court deems equitable and just, including entering an Order absolving the Trustee from any duty to recoup disbursements previously made on this claim.

Dated: 1 June 2011

/s/ Kevin F. Carr  
CARR & ASSOCIATES  
Kevin F. Carr (P-31932)

Prepared by:  
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**CHAPTER 13**

**CASE NO. 11-50331-SWR**

**JUDGE STEVEN W. RHODES**

**ORDER GRANTING DEBTOR'S OBJECTION TO THE  
PROOF OF CLAIM #17 OF CHRISTIAN FINANCIAL CREDIT UNION**

This matter having come for hearing before the Court by way of the objection of the Debtor to the allowance of the claim of the above referenced creditor, service having been made with a notice of hearing allowing the thirty (30) day notice period pursuant to Bankruptcy Rule 3007, the requisite time for a response having passed, no response to the Objection having been timely filed and served, and the Court being otherwise sufficiently advised in the premises;

**IT IS HEREBY ORDERED** that the objection to the proof of claim of the above referenced creditor is hereby granted. To the extent that the Chapter 13 Standing Trustee has previously made disbursement to such creditor, the Trustee shall not be obligated to recoup same.

**IT IS FURTHER ORDERED** the claim shall be treated as a class 8 general unsecured claim.

EXHIBIT A

UNITED STATES BANKRUPTCY COURT  
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IN RE:

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Debtor(s)

CHAPTER 13

CASE NO. 11-50331-SWR

JUDGE STEVEN W. RHODES

NOTICE OF OBJECTION TO CLAIM #17

The above Debtor has filed an objection to your claim in this bankruptcy case.

**Your claim may be reduced, modified or denied. You should read these papers carefully and discuss them with your attorney, if you have one.**

If you do not want the court to deny or change your claim, then on or before 7 days prior to the date set for hearing in this matter, you or your lawyer must:

1. File with the court a written response to the objection, explaining your position, at:\*

U.S. Bankruptcy Court  
211 W. Fort Street, Ste. 2100  
Detroit, MI 48226

If you mail your response to the court for filing, you must mail it early enough so that the court will **receive** it on or before the date stated above. All attorneys are required to file pleadings electronically.

You must also mail a copy to:

Chapter 13 Trustee  
719 Griswold  
1100 Dime Building  
Detroit, Michigan 48226

CARR & ASSOCIATES  
18 First Street  
Mt. Clemens, Michigan 48043

2. Attend the hearing on the objection, scheduled to be held on July 6, 2011 at 10:30 a.m. in Courtroom 1825, United States Bankruptcy Court, 211 W. Fort Street, Detroit, Michigan, unless your attendance is excused by mutual agreement between yourself and the objector's attorney. (Unless the matter is summarily as a matter of law, the hearing shall be a pre-trial conference only; neither testimony nor other evidence will be received. A pre-trial scheduling order may be issued as a result of the pre-trial conference.)

**If you or your attorney do not take these steps, the Court may deem that you do not oppose the objection to your claim, in which event the hearing will be canceled, and the objection sustained.**

Dated: 1 June 2011

/s/ Kevin F. Carr  
CARR & ASSOCIATES  
Kevin F. Carr (P-31932)

\*Response or answer must comply with F.R.Civ.P.8(b), (c) and (e)

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**PROOF OF SERVICE**

The undersigned being sworn, deposes and says that on Wednesday, June 1, 2011, a copy of **Debtor's Objection and Notice of Objection to Claim #17** was served in said case upon the following parties either electronically or by depositing said copies in the U.S. Mail, postage prepaid, properly addressed as follows:

**TRUSTEE:** Krispen S. Carroll, 719 Griswold, 1100 Dime Building, Detroit, Michigan 48226

**CREDITOR:** Christian Financial Credit Union, C/O Christopher Frank, 4 Parklane Blvd., Dearborn, Michigan 48126

**DEBTORS:** Mr. & Mrs. Robert E. Roberts, 13051 Plumbrook, Sterling Heights, Michigan 48312

1 JUNE 2011

/s/ CHERYL L. FOGG  
Cheryl L. Fogg

Prepared by:  
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